

December 6, 1999

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Frye, Kemp, Davis, Holmes, and Mason were present. Invocation was given by Rev. Ronald Wachs, Pastor of Coleridge United Methodist Charge, after which everyone recited the Pledge of Allegiance.

Special Recognition

On behalf of the Board, Chairman Frye recognized Charles Teague for 15 years of service on the Tax Commission and presented him with an engraved clock.

Reorganization of the Board

On motion of Davis, seconded by Holmes, the Board unanimously elected Phil Kemp as Chairman. Mr. Kemp assumed the Chairman's seat and presided over the remainder of the meeting.

On motion of Holmes, seconded by Davis, the Board unanimously elected Darrell Frye as Vice Chairman.

On motion of Davis, seconded by Frye, the Board unanimously appointed Alan Pugh as County Attorney, Alice Dawson as Clerk to the Board, Cheryl Ivey as Deputy Clerk to the Board, Commissioner Davis to the Board of Health, Commissioner Holmes to the Mental Health Board, Commissioner Mason to the Social Services Board, Commissioner Frye as Piedmont Triad Council Of Governments delegate and representative on the High Point Transportation Advisory Board, Piedmont Triad Regional Water Authority, Piedmont Triad Partnership, and Piedmont Authority for Regional Transportation.

Additions to the Agenda

Chairman Kemp announced two additions to the consent agenda: under item E., add the name of Guy Troy of Liberty; add item F. Appoint Nan Kemp to the Nursing Home/Adult Care Home Advisory Committee.

Consent Agenda

On motion of Frye, seconded by Holmes, the Board unanimously approved the consent agenda, as follows:

- *approve minutes of November 1, 1999;*
- *reappoint Lynden Craven and Bill Dorsett to the County Planning Board (three-year terms);*
- *reappoint Bill Johnson, Sandra Martin and Bruce Tinkler to the Board of Health (three-year terms);*
- *reappoint (jointly with Guilford County) James Blair, Randal Bowman, and Donald Dalton to the Guil-Rand Fire Department Commission (two-year terms);*
- *appoint Bud Hedrick, Bill Austin, Walter Knott (RC&D Board Members); Matthew Smith (Asheboro/Randolph Chamber of Commerce Trails & Scenic Routes Committee); Rep. Arlie Culp, Yadkin/Pee Dee Lakes Project; and Guy Troy of Liberty to the Heritage Task Force;*
- *appoint Nan Kemp to the Nursing Home/Adult Care Home Advisory Committee (initial one-year term).*

Report, Recommendations, and Order Approving Audit of Cable TV Rate Adjustments

Dave Harris, Piedmont Triad Council of Governments telecommunications consultant, explained that cable operators may request rate adjustments each December, using formulas provided by the FCC to calculate adjustments. The County Commissioners, as the franchising authority, may approve or disapprove the audit of these calculations. Mr. Harris stated that his audit of Time Warner, the sole cable operator in Randolph County, has shown that Time Warner's calculations for requested rate adjustments are consistent with applicable FCC rate regulation rules.

Chairman Kemp noted that he has had many complaints from citizens about cable rate increases.

Patty Cooper, Manager for the Asheboro office of Time Warner, stated that the rate increases reflect the recent system upgrade to digital service.

On motion of Davis, seconded by Holmes, the Board, by a 4 to 1 vote with Commissioner Kemp opposing, approved the following ORDER APPROVING THE PIEDMONT TRIAD COUNCIL OF GOVERNMENTS AUDIT OF THE CABLE RATE ADJUSTMENTS FOR TIME WARNER CABLE:

WHEREAS, the County of Randolph ("County") has been duly certified by the Federal Communications Commission to regulate cable rates for Time Warner Cable within the unincorporated limits of the County and as may be further defined in the current Cable Television Ordinance and Franchise Agreement; and

WHEREAS, on September 30, 1999, Time Warner Cable filed Federal Communications Commission ("FCC") Forms 1205, 1235 and 1240, with the County, requesting a rate adjustment as provided for in the current provisions of the FCC regulations; and

WHEREAS, the aforementioned FCC Forms 1205, 1235 and 1240 have been examined by the Piedmont Triad Council of Governments in accordance with an agreement between the Piedmont Triad Council of Governments and the County; and

WHEREAS, the calculations and justifications for the requested rate adjustments were found to be consistent with applicable rate regulation rules as published by the Federal Communications Commission;

NOW THEREFORE, THE RANDOLPH COUNTY BOARD OF COMMISSIONERS DOETH ORDER:

The rates for regulated basic programming services for Time Warner Cable are as set forth in the aforementioned FCC forms and as reiterated below:

Basic Programming Service (Archdale System)	\$8.00
Basic Programming Service (Randolph System)	\$8.44
Converters (addressable)	\$3.35
Converters (non-addressable)	\$1.18
Remote	\$0.31
New Connect	\$25.36
Reconnect	\$22.41
Additional Outlet (same trip)	\$14.61
Additional Outlet (separate trip)	\$19.45
Trip Charge	\$15.31
Hourly Service Charge	\$26.51

Passed and adopted by the Randolph County Board of Commissioners this the 6th day of December, 1999.

Industrial Bond Public Hearing--Approval in Principle for Instrument Specialties Company, Inc

At 4:40 p.m. the Board adjourned to a duly advertised public hearing to consider approval in principle for industrial revenue bonds for Instrument Specialties Company, Inc.

Bill Ivey, bond attorney for the County, stated that the Randolph County Industrial Bond Authority is proposing to issue up to \$3,000,000 in industrial development revenue bonds for an industrial project for Instrument Specialties Company, Inc. This project would create 40 jobs.

Joe Andrews, the company's plant manager, stated that the \$3,000,000 would be used for building improvements and renovations and for the acquisition and installation of new machinery and equipment.

Chairman Kemp asked for public comment. No one spoke.

On motion of Frye, seconded by Davis, the Board unanimously voted to close the public hearing.

Commissioner Frye introduced a resolution (a copy of which was distributed to each Commissioner)

titled RESOLUTION APPROVING IN PRINCIPLE THE ISSUANCE OF NOT EXCEEDING \$3,000,000 AGGREGATE PRINCIPAL AMOUNT OF INDUSTRIAL DEVELOPMENT REVENUE BONDS BY THE RANDOLPH COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY TO FINANCE AN INDUSTRIAL PROJECT IN RANDOLPH COUNTY FOR INSTRUMENT SPECIALITIES COMPANY, INC. AND APPROVING IN PRINCIPLE THE PROJECT AND THE ISSUANCE OF SUCH BONDS. Then, on motion of Frye, seconded by Davis, the Board unanimously voted to adopt this resolution (ATTACHED).

Appointment to Tax Commission

On motion of Mason, seconded by Holmes, the Board unanimously appointed Kim S. Griffin to a three-year term on the Randolph County Tax Commission and Board of Equalization and Review.

Renewal of Pawnbroker License

Aimee Scotton, Staff Attorney, reported that she had examined the pawnbroker license renewal application of Harry Frank Chamberlin and found it to be in compliance with all County ordinance regulations.

On motion of Holmes, seconded by Mason, the Board unanimously approved the renewal of Harry Frank Chamberlin's pawnbroker license, which will expire December 15, 2000.

Recognition of Governor's Award Nominees for Outstanding Volunteer Service

The Board presented a certificate of appreciation to the following individuals and organizations who were nominated to receive the Governor's Award for Outstanding Volunteer Service: Asheboro Kiwanis Club, Carolyn Cox, Ruby Lassiter Culver, Mary Farrell, Jockey Employee Doll Makers, Loretta Lutman, Bill Matthews, Eldora Robbins, Southwest Randolph Middle School Service Club, and Volunteer Drivers for DSS.

Approval of County Y2K Business Continuation Plan

Annette Crotts, Information Services Director, advised the Board that the County has been working on the Y2K problem since 1993. All departments inventoried their electrical equipment and ranked each item as dispensable, important or critical to their daily operations. Computer Services staff then tested all critical items that were testable and collected assurances of Y2K readiness from vendors for those items that couldn't be tested. All noncompliant items were either replaced, repaired, or a work around was found. All items identified as critical and testable are now 100% Year 2000 Ready. Ms. Crotts stated that the County also created an in-depth business continuation plan to deal with any unexpected failures in information technology and emergency preparedness. She summarized the information technology section of the plan. Neil Allen, Emergency Services Director, explained the emergency preparedness section.

On motion of Frye, seconded by Mason, the Board unanimously approved the County's Y2K Business Continuation Plan.

Progressive Vacation Plan

Kim Newsom, Personnel Director, explained proposed revisions to the vacation leave section of the Personnel Ordinance. County employees now earn 8 hours of vacation leave per month, regardless of years of service. The proposed change would allow employees to earn a progressive number of hours per month based on years of aggregate service. Mr. Newsom stated that progressive vacation would make the County more competitive, help to retain employees and reduce turnover, and show appreciation to the senior staff.

On motion of Holmes, seconded by Frye, the Board unanimously approved the proposed revisions of Section 4 of Article VI of the Randolph County Personnel Ordinance (ATTACHED), effective January 1,

2000.

Approve Contracts between N.C. Partnership for Children (Smart Start) and Public Health and Social Services; Approve Budget Amendment; Allocate Positions

MiMi Cooper, Health Director, announced that the Health Department has been awarded funding from Randolph County Partnership for Children (Smart Start) to carry out two activities to improve the health of children in our county. The first activity, newborn home visits, offers a home visit and physical assessment by a registered nurse to newborns and their mothers. The second activity, child care nurse consultant, provides registered nurses as consultants to child care centers and family child care homes for developmental and well-child screenings and immunizations, as well as sanitation and safety training to child care workers.

On motion of Davis, seconded by Holmes, the Board, by a 4 to 0 vote (Commissioner Frye was out of the room during this vote), approved the contract with the N.C. Partnership for Children and authorized the County Manager to sign it, allocated 4 public health nurse II positions (grade 73) and one processing assistant III (grade 57), effective January 1, 2000, and approved Budget Amendment #21 to the FY 1999-2000 Budget, as follows:

GENERAL FUND - #21	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	<i>\$132,265</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Public Health</i>	<i>\$132,265</i>

Martha Sheriff, Social Services Director, stated that the Social Services Department had been awarded funding from Randolph County Partnership for Children (Smart Start) to expand the child care subsidy allocation, increase access to the child care program, make regular site visits with child care providers to monitor services purchased, and increase the number of providers who accept subsidy.

On motion of Holmes, seconded by Mason, the Board, by a 4 to 0 vote (Commissioner Frye was out of the room during this vote), approved the contract with N.C. Partnership for Children and authorized the County Manager to sign it, allocated 2 social worker II positions (grade 67) and one processing assistant III position (grade 57), and approved Budget Amendment #22 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #22	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	<i>\$416,997</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Social Services</i>	<i>\$416,997</i>

Award Contract for Portable 911 Telephones

Jane Leonard, Deputy Finance Officer, stated that the 911 Emergency Center has expressed a need for a Mobile Command Post Phone manufactured by CML Technologies. If the 911 Emergency Center should be

inoperable and/or evacuated for any reason, the Mobile Command Post Phone can be used with the same capabilities and access as the main control center at any land line terminal location. The only known supplier for this product is Sprint, and the purchase price is \$53,153.42. The Purchasing Office advertised in the newspaper requesting any information on an alternate source of this product; to date, we have not received any information. State purchasing laws allow a sole-source purchase without formal bidding procedures.

On motion of Holmes, seconded by Davis, the Board unanimously approved the purchase of CML's Mobile Command Post Phone from Sprint.

Community Policing Grant (COPS) Universal Hiring Program Retention Plan

Major Allen McNeill explained that the COPS grant requires the County to have a retention plan for officers hired with these grant funds. In a recent audit from the federal COPS Office, our retention plan was found to be insufficient because it addressed only those officers hired through the 1999 grant. A new resolution is needed to cover the retention of all 16 officers hired under the COPS program.

On motion of Holmes, seconded by Frye, the Board unanimously adopted the following resolution to replace the March 8, 1999 resolution dealing with this issue:

WHEREAS, the Randolph County Board of Commissioners voted for the Randolph County Sheriff's Office to employ 16 officer positions under the provisions of the COPS AHEAD/Universal Hiring Program grants; and

WHEREAS, Randolph County, along with the Randolph County Sheriff's Office, has retained the 2 positions hired under the 1995 COPS AHEAD Grant and the 2 positions hired under the 1996 COPS Universal Hiring Program (Supplement #1) Grant;

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that it is our plan, and also the plan of the Randolph County Sheriff's Office, to retain the following positions: four positions hired under the 1997 COPS Universal Hiring Program (Supplement #2), two positions hired under the 1998 COPS Universal Hiring Program (Supplement #3), and the six positions hired under the 1999 COPS Universal Hiring Program (Supplement #4).

BE IT FURTHER RESOLVED that Randolph County will fund these 12 positions through the County's General Fund and retain these positions for at least one full budget cycle.

Budget Amendment - Juvenile Justice

Jane Leonard, Deputy Finance Officer, stated that the County is receiving \$5,000 for juvenile crime prevention efforts. The Juvenile Crime Prevention Council voted to use these funds for council training.

On motion of Davis, seconded by Frye, the Board unanimously voted to approve Budget Amendment #23 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #23	
Revenue	Increase
<i>Restricted Intergovernmental</i>	<i>\$5,000</i>
Appropriation	Increase
<i>Juvenile Justice Programs</i>	<i>\$5,000</i>

Budget Amendment - Computer Services

Jane Leonard, Deputy Finance Officer, reported that Randolph County has received an \$1,855 grant from the NC Center for Geographic Information and Analysis to help create metadata files for a geographic clearinghouse. Computer Services hopes to hire a student intern to assist in the completion of this project.

On motion of Davis, seconded by Holmes, the Board unanimously voted to approve Budget Amendment #24 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #24	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$1,855
Appropriation	Increase
<i>Computer Services</i>	\$1,855

Budget Amendment - County Schools ADM Funds

Jane Leonard, Deputy Finance Officer, stated that the Randolph County Board of Education has approved an application to draw down funds from the State Public School Building Capital Fund (ADM funds) to pay a portion of the 1995 COPS debt service in this current fiscal year.

On motion of Mason, seconded by Frye, the Board unanimously approved the application for ADM funds as submitted by the Board of Education and approved Budget Amendment #25 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #25		
Revenue	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$893,860	
<i>Miscellaneous</i>		\$893,860

Budget Amendment - FEMA Reimbursement

On motion of Frye, seconded by Holmes, the Board unanimously approved Budget Amendment #26 to the FY 1999-2000 Annual Budget, which disperses FEMA funds into the County departments which incurred extra costs for preparations made for Hurricane Floyd, as follows:

GENERAL FUND - #26	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$7,571
Appropriation	Increase
<i>Emergency Services</i>	\$2,053
<i>Public Health</i>	\$471
<i>Social Services</i>	\$5,047

Public Hearing - Randleman Lake Watershed Protection Ordinance Amendments

At 6:00 p.m. the Board adjourned to a duly advertised public hearing to consider amendments to the Randleman Lake Watershed Protection Ordinance. Hal Johnson, Planning and Zoning Director, reported that the N.C. Environmental Management Commission has designated the entire Randleman Lake watershed as a critical water supply watershed (WS-IV). Local governments must adopt watershed protection regulations approved by the Environmental Management Commission. Mr. Johnson explained the proposed amendments. One difference in regulations is that the state allows only 12% impervious surface development in this watershed, whereas the County's ordinance has allowed 24% impervious surface coverage for projects other than single-family residential development.

Chairman Kemp asked for public comment.

Butch Coltrane, Commonwealth Road, Randleman, stated that he is not opposed to the regulations, but that he is opposed to the dam.

No one else spoke and Chairman Kemp closed the public hearing.

On motion of Frye, seconded by Holmes, the Board unanimously approved the proposed amendments (ATTACHED) to the Randleman Lake Watershed Protection Ordinance.

Closed Session - Economic Development

On motion of Frye, seconded by Davis, the Board unanimously voted at 6:18 p.m. to adjourn to a closed session to discuss matters relating to the location or expansion of business in the area served by the Board, pursuant to NCGS 143-318.11(a)(4). The Board returned to regular session at 6:38 p.m.

Rezoning Public Hearing

At 6:38 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, presented the following requests, and Chairman Kemp opened the public hearing for comments on each request and closed it before taking action on each request:

1. FREEDOM PARK RESIDENTS, Asheboro, on behalf of the majority of property owners located within Freedom Park Subdivision, are requesting that 13.67 acres of the subdivision located outside the City of Asheboro zoning jurisdiction off Hwy 159 on Freedom State Street, Grant Township, be rezoned from RA to RE/CU so that only site-built homes could be built in this portion of the subdivision, consistent with that portion of the subdivision located within the City of Asheboro's zoning jurisdiction. The Planning Board unanimously recommended approval. Mr. Johnson noted that deed restriction prohibiting mobile homes expired in 1993. Residents thought they had renewed these deed restrictions but because of a technicality, the deed restrictions were not renewed. Two mobile home permits have already been issued.

Jack Scott, 1083 Freedom State Street, speaking on behalf of the property owners in Freedom Park, stated that they are asking for the rezoning because they do not want any mobile homes in the subdivision. Eleven people stood in support of Mr. Scott's remarks.

On motion of Frye, seconded by Holmes, the Board unanimously approved this request.

2. GARY WHITE, Archdale, is requesting that 11.22 acres at the intersection of Hoover Hill Road/Jordan Valley Road, Tabernacle Township, be rezoned from RA to RE/CU for a 5-lot subdivision of site-built homes only. The Planning Board unanimously recommended approval.

Gary White, 5792 Suits Road, Archdale, discussed his request.

Commissioner Frye said he had received a call from **Mrs. Nance** opposing this request because she doesn't want mobile homes, but he explained to her that mobile homes are not allowed in residential exclusive.

J. Paul Myers, 237 Robin Road, Altamonte Springs, Florida, and property owner across the road, said that most lot frontages on this road are several hundred feet wide.

On motion of Davis, seconded by Holmes, the Board unanimously approved this request.

3. **RUSSELL LINEBERRY**, Siler City, is requesting that 91.12 acres at the end of Olivers Chapel Road, Columbia Township, be rezoned from RA to RM/CU for a 23-lot subdivision for site-built, modular, or mobile homes with permanent masonry foundation. Lots fronting on Olivers Chapel Road will not allow single-wide mobile homes. The Planning Board recommended denial by a 6 to 1 vote. Mr. Johnson reported that Mr. Lineberry has submitted a revised plat since the Planning Board meeting and since the County Commissioners received their copy. He said the Planning Board's concerns are the private roads and the septic tank easements.

Helen Headen, 2601 Olivers Chapel Road, Staley, supported this request, asserting that it would improve the neighborhood and would give the neighborhood children a park to play in.

Russell Lineberry, applicant, presented deed restrictions. He said he had met with the community and that they support his development. He said there will be a park in the development and that he will donate it to Olivers Chapel Church for the community's use. He asked that the conditional use include a stipulation that no single-wide mobile homes be allowed in the development.

Jake Hart, 523 N. Main Street, Staley, supported the development because of the park.

Marlene Jones, 507 N. Main Street, Staley, said growth would be good for this community.

Della Freeman, adjoining property owner, objected to anything but site-built homes, saying other construction could be undesirable and lead to vandalism. She said her business in Liberty has been robbed more than once and that the ones responsible lived close by in mobile homes.

Ken Walker, P.O. Box 2210, Atlanta, Georgia, said he works for a hatchery and feedmill on an adjoining property and that the company has concerns about septic systems for that number of lots. He said they operate on a well, and a development this size could impact on their ability to expand.

C. H. Graham, Jr., 4192 Bull Run Creek Road, Franklinville, said the Bull Run Creek community is in favor of sound development and the preservation of farm land.

On motion of Holmes, seconded by Frye, the Board unanimously denied this request.

4. **EARNHARDT BUILDERS, INC.**, Asheboro, is requesting that 43.79 acres on Earnhardt Road and Jerico Road, Back Creek Township, be rezoned from RA to RE/CU for a 23-lot subdivision for site-built homes only. The Planning Board unanimously recommended approval.

Bobby Earnhardt, 4422 Earnhardt Road, Asheboro, said soil scientists have already tested the soil.

On motion of Frye, seconded by Holmes, the Board unanimously approved this request.

5. BARTON COOK, Asheboro, is requesting that 10.96 acres on Old Stagecoach Road, Franklinville Township, be rezoned from RR/CU to RA/CU to allow one residence and a nursery business. The Planning Board unanimously recommended approval.

No one spoke.

On motion of Frye, seconded by Davis, the Board unanimously approved this request.

Travel Policy

Frank Willis, County Manager, reviewed the proposed replacement travel policy. He said meal reimbursement rates have increased and receipts will no longer be required.

On motion of Mason, seconded by Holmes, the Board unanimously approved the new travel policy (ATTACHED).

Adjournment

The meeting adjourned at 8:05 p.m.

Phil Kemp, Chairman

Darrell L. Frye

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board